EXHIBIT B

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

VIRTAMOVE, CORP., Plaintiff, v. INTERNATIONAL BUSINESS MACHINES CORP., Defendant.	Case No. 2:24-cv-00064-JRG **JURY TRIAL DEMANDED**

DECLARATION OF CHRISTOPHER ROSEN
IN SUPPORT OF IBM'S MOTION TO TRANSFER VENUE

I, Christopher Rosen, declare as follows:

1.   I am an employee of International Business Machines Corporation ("IBM") and have been since June 2000. I live and work in Raleigh, North Carolina and I am currently the Director of Product Management IBM Cloud at IBM.

2.   I understand that in this action VirtaMove, Corporation ("VirtaMove") alleges infringement of U.S. Patent Nos. 7,519,814 and 7,784,058 (the "Asserted Patents") by IBM.

3.   I submit this declaration in support of IBM's Motion to Transfer Venue.

4.   Unless indicated otherwise, I have personal knowledge of the facts contained in this declaration or they are based on research conducted under my supervision and direction, and if called upon to do so, I could and would testify competently to the matters set forth herein.

5.   I reviewed the Asserted Patents, which relate to software associated with the containerization of computer applications.

6.   I understand that VirtaMove alleges that IBM infringes by use of its IBM Cloud Kubernetes Service ("IBM Kubernetes").

7.   IBM is a New York company with its headquarters located at 1 New Orchard Road, Armonk, NY 10504 and is incorporated in the state of New York.

8.   IBM Kubernetes is a cloud-based platform offered by IBM that provides businesses with a managed Kubernetes environment for deploying, managing, and scaling containerized applications. Kubernetes is an open-source project managed by the San Francisco-based Cloud Native Computing Foundation ("CNCF"). IBM Kubernetes previously utilized Docker as the underlying containerization technology within its Kubernetes environment. Docker is used to develop and run applications in containers. Today, IBM utilizes container products from the Open-Container Initiative ("OCI") based in the Bay Area. The Docker software, along with several other open-source container products, use the OCI specification. The Docker, and Docker-like, containers, are orchestrated and managed by Kubernetes. Through this service, IBM handles the underlying infrastructure, including provisioning, monitoring, and maintenance, allowing clients to focus on developing and deploying their applications without the burden of managing the Kubernetes cluster themselves. This allows users to leverage the benefits of Docker containers within the Kubernetes environment.

9.   IBM Kubernetes is not a software, program, or application but rather is a service offered to third parties to deploy and manage containerized applications on IBM Cloud.

10.   VirtaMove's complaint and infringement claim charts focus exclusively on functionality provided by the Kubernetes and Docker software.

11.   IBM Kubernetes servers are located throughout the world, including in San Jose, CA through IBM's SJC03 and SJC04 server locations. A list of IBM Kubernetes server locations can be found at the following link: https://cloud.ibm.com/docs/containers?topic=containers-regions-and-zones.

12.   IBM's largest IBM Kubernetes users are located in Europe, Middle East, and Africa ("EMEA").

13.   The individuals most responsible for IBM Kubernetes, including engineers, are predominantly located in Rochester, MN, Austin, TX, and Raleigh, NC. It would be far more convenient for me to travel from Raleigh, NC to the Northern District of California for purposes of activities related to this action that it would be for me to travel to the Eastern District of Texas.

14.   IBM has no facilities and few, if any, employees in Texas involved in the initial development of IBM Kubernetes.

15.   The address identified in paragraph 9 of VirtaMove's complaint, 1700 Summit Avenue, Plano, TX 75074, is an old IBM server location, DAL07, that is no longer in use and was never used for IBM Kubernetes. The location was originally leased in 2009 by a company called The Planet, which was later acquired by IBM. At one point the servers at this location were used for IBM IaaS (Infrastructure as a Service). Today, this location is used as a warehouse, with no connection to IBM Kubernetes. A list of IBM Kubernetes server locations can be access via the link above in paragraph 11 and a list of all active IBM server locations can be found at the following link: https://cloud.ibm.com/docs/overview?topic=overview-locations.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: August 10, 2024   /s/   Christopher Rosen
                                                           Christopher Rosen